

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO.: CR99-001-JCC
Plaintiff,)
v.)
MICHAEL LEWIS KELLY,) SUMMARY REPORT OF U.S.
Defendant.) MAGISTRATE JUDGE AS TO
) ALLEGED VIOLATIONS
) OF SUPERVISED RELEASE

An initial hearing on supervised release revocation in this case was scheduled before me on September 13, 2005. The United States was represented by AUSA Leonie G. H. Grant and the defendant by Thomas W. Hillier II. The proceedings were recorded on cassette tape.

Defendant had been sentenced on or about April 23, 1999 by the Honorable John C. Coughenour on a charge of Bank Robbery (two counts) and sentenced to 85 Months Custody, 3 years Supervised Release.

The conditions of supervised release included requirements that defendant comply with all local, state, and federal laws and with the standard conditions of supervision. Other special conditions included no firearms, submit to search, narcotic addiction/drug dependency treatment and testing, refrain from alcohol and other intoxicants, participate in a mental health program, no new credit without permission, and restitution in the amount of \$7,838. (Dkt. 28).

In an application dated September 9, 2005, U.S. Probation Officer Monique D. Neal

01 alleged the following violation of the conditions of supervised release:

02 1. Using cocaine and heroin on or before August 18, 2005 in violation of standard
03 condition #7.

04 2. Incurring new credit charges or opening additional lines of credit without
05 permission from his probation officer on or before August 24, 2005 in violation of special
06 condition #7.

07 Defendant was advised in full as to those charges and as to his constitutional rights.

08 Defendant admitted each of the alleged violations and waived any evidentiary hearing as
09 to whether they occurred.

10 I therefore recommend the Court find defendant violated his supervised release as alleged
11 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
12 set before Judge Coughenour.

13 Pending a final determination by the Court, defendant will be released to a halfway house.

14 DATED this 14th day of September, 2005.

15 
16 Mary Alice Theiler
17 United States Magistrate Judge

19 cc: District Judge: Honorable John C. Coughenour
20 AUSA: Leonie G. H. Grant
Defendant's attorney: Thomas W. Hillier II
Probation officer: Monique D. Neal
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